UNITED
NATIONS

A

General Assembly

Distr.
LIMITED

A/C.5/52/L.59
20 August 1998

ORIGINAL: ENGLISH

Fifty-second session
Agenda items 114, 153 and 157

REVIEW OF THE EFFICIENCY OF THE ADMINISTRATIVE AND FINANCIAL FUNCTIONING OF THE UNITED NATIONS

HUMAN RESOURCES MANAGEMENT

UNITED NATIONS REFORM: MEASURES AND PROPOSALS

Draft resolution submitted by the Rapporteur following informal consultations

The General Assembly,

Recalling Articles 97, 98, 100, 101 and 105 of the Charter of the United Nations,

Recalling also its resolution 52/12 B of 19 December 1997,

Noting with concern the limited time it had at its disposal to consider this matter,

Having considered the reports of the Secretary-General of 17 October 1997[1] and 28 July 1998[2] entitled "Proposed United Nations Code of Conduct",

Taking note with appreciation of the comments provided by the International Civil Service Commission on the revised text of article I of the Staff Regulations and chapter I of the 100 series of the Staff Rules applicable to United Nations staff members,[3]

[1] A/52/488.

[2] A/52/448/Add.1.

[3] A/52/30/Add.1

Taking note of the views expressed by Member States in the Fifth Committee on this question,[4]

Having heard the views expressed by staff representatives in the Fifth Committee in accordance with General Assembly resolution 35/213 of 17 December 1980,[5]

1. Adopts the Revised Text of article I of the Staff Regulations, and takes note of the Revised Text of chapter I of the 100 series of the Staff Rules applicable to United Nations staff members, as set out in annex I to the report of the Secretary-General of 17 October 1997,[1] and not to other organizations, subject to the following modifications:

(a) The provisions contained in new staff regulations 1.1 (c) and 1.2 (g), and in new staff rule 101.2 (h) of the original proposal as set out in the Secretary-General's report of 17 October 1997, which deal with staff representatives, are deleted, as indicated in his report of 28 July 1998;[3]

(b) The phrase "and in the relevant resolutions and decisions of the General Assembly" is inserted after "Staff Regulations and Rules" in new staff regulation 1.1 (c);

(c) The phrase "in the employment of staff" is deleted from new staff regulation 1.1 (d);

(d) Delete article 99 from annex 1;[1]

[(e) Add at the end of the last sentence of regulation 1.1 (f):

"in accordance with the Convention on the Privileges and Immunities of the United Nations and the relevant resolutions and decisions of the General Assembly";]

2. Decides to insert as a third sentence the following text into the "Scope and purpose" provision of the Staff Regulations:

"For the purposes of these Regulations, the expressions 'United Nations Secretariat', 'staff members' or 'staff' shall refer to all the staff members of the Secretariat, within the meaning of Article 97 of the Charter, whose employment and contractual relationship are defined by a letter of Appointment subject to regulations promulgated by the General Assembly pursuant to Article 101, paragraph 1, of the Charter of the United Nations";

3. Decides also that the amendments to the Staff Regulations adopted in the present resolution, and the related amendments to the Staff Rules, shall become effective on 1 January 1999;

---

[4] A/C.5/52/SR.53, 56, 58 and 67 to 69.

[5] A/C.5/52/SR.53.

4. Emphasizes that the implementation of regulation 1.2 (b) should take also into account the definition of integrity provided in the 1954 report of the International Civil Service Advisory Board on Standards of Conduct in the International Civil Service, in accordance with paragraph 28 of the comments of the International Civil Service Commission;[1]

5. Also emphasizes that the implementation of rule 101.2 (d) should be in accordance with the definition provided in administrative instruction ST/AI/379 of 29 October 1992;

6. Further emphasizes that managers, as staff members, are bound by the duties and obligations set out in the new article I of the Staff Regulations and chapter I of the 100 series of the Staff Rules, and that their higher-level functions and responsibilities entail increased accountability for the proper performance of all their duties in managing the human and financial resources entrusted to them;

7. Requests the Secretary-General to emphasize in the commentary on the new article I of the Staff Regulations and chapter I of the 100 series of the Staff Rules that the higher level of responsibilities associated with managerial functions entails a commensurate increase in the accountability of managers;

8. Stresses the importance of the provisions governing the status, and the basic rights and duties of staff members, requests the Secretary-General to issue to every staff member in separate form the text of Articles 97, 98, 100, 101 and 105 of the Charter of the United Nations and relevant extracts from the Convention on the Privileges and Immunities of the United Nations, adopted by the General Assembly by its resolution 22 (I) of 13 February 1946, as well as the text of the new article I of the Staff Regulations and chapter I of the 100 series of the Staff Rules, together with the explanatory commentary, the text of the present resolution and the 1954 report of the International Civil Service Advisory Board on Standards of Conduct in the International Civil Service;

9. Requests the Secretary-General to expedite the submission to the General Assembly by the fifty-fourth session, of appropriate regulations and rules governing the status, basic rights and duties of the Secretary-General, officials other than Secretariat officials, and experts on mission;

10. Also requests the Secretary-General to prepare, as a matter of priority, additional rules for particular groups of staff such as finance officers, procurement officers and staff of separately funded organs;

11. Further requests the Secretary-General to prepare for its consideration by the fifty-fourth session of the General Assembly a text of the Staff Regulations drafted in gender-neutral terms;

12. Takes note that the Secretary-General will prepare amendments to the 200 and 300 series of the Staff Rules to reflect the amendments to article 1 of the Staff Regulations, and notes that such amendments to the Staff Rules are subject to the requirements of staff regulations 12.2, 12.3 and 12.4;

13. Notes also that the International Civil Service Commission has decided to place on its work programme the updating of the 1954 International Civil Service Advisory Board Standards of Conduct in collaboration with the Consultative Committee on Administrative Questions, and looks forward to the results of this review;

[14. Requests the International Civil Service Commission to undertake the aforementioned updating of the 1954 International Civil Service Advisory Board Standards of Conduct in consultation with all interested parties.]